

Attorney's Docket No. 5577-115CX

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nguyen et al.

Serial No.: 09/207,945

Filed: December 9, 1998

Group Art Unit: 2176

Examiner: Huynh, Thu V.

For: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
ASSOCIATING DYNAMICALLY GENERATED WEB PAGE CONTENT
WITH WEB SITE VISITORSCommissioner for Patents
Washington, DC 20231DECLARATION OF NEEDHAM J. BOODIE, II UNDER 37 C.F.R. § 1.131

I, Needham J. Boddie, II hereby declare and say as follows:

1. I am an attorney of record for the International Business Machines Corporation (hereinafter "IBM") for the above-referenced patent application.

2. On page 1 of Invention Disclosure RSW8-1998-0144 (hereinafter, the "Invention Disclosure"), it is set forth that inventor Sandeep Singhal created the Invention Disclosure on July 31, 1998, and that the Invention Disclosure was last modified by inventor Binh Nguyen on August 5, 1998. A copy of the Invention Disclosure is attached as Appendix A.

3. On page 1 of the Invention Disclosure, it is set forth that the Invention Disclosure was submitted for review to IBM in-house patent attorney Bruce Clay on August 4, 1998.

4. On October 7, 1998, IBM in-house patent attorney, Bruce Clay, forwarded the Invention Disclosure to my firm (Myers, Bigel, Sibley & Sajovec).

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5. Between October 7, 1998 and November 25, 1998, I met with inventor Binh Q. Nguyen to discuss the Invention Disclosure, and prepared an initial draft of the above-referenced patent application for review by inventors Nguyen and Singhal.

6. On November 25, 1998, I submitted an initial draft of the above-referenced patent application to inventors Nguyen and Singhal for review. A copy of the letter (with Attorney-Client privileged information redacted) from me to inventors Nguyen and Singhal, dated November 25, 1998, submitting the initial draft of the above-referenced patent application inventors Nguyen and Singhal is attached as Appendix B. This initial draft contained the subject matter of Claims 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55 and 57 of the above-referenced application.

7. Between November 25, 1998 and December 9, 1998, comments were received from inventors Nguyen and Singhal and a final draft of the above-referenced patent application was prepared by me.

8. The final draft of the above-referenced patent application was filed in the United States Patent and Trademark Office by the express mail procedure on December 9, 1998, and subsequently received this date as the official filing date.

9. The facts set forth in Paragraphs 1-8 above clearly establish that inventors Nguyen and Singhal conceived the subject matter of Claims 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55 and 57 of the above-referenced application and diligently proceeded with constructively reducing to practice the subject matter of Claims 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55 and 57 prior to December 8, 1998.

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

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under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Needham J. Boddie - II

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PTO Reg. No. 40,519

1-3-2003

Date

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